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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON DEPUTY



11-CV-00359-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STACY EARL STITH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C11-0359-JLR
(CR07-337-JLR)

ORDER DENYING MOTION UNDER
28 U.S.C. § 2255


The Court, having reviewed petitioner's motion under 28 U.S.C. § 2255, the briefing of the parties, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's motion under § 2255 (Dkt. No. 7) is DENIED and this action is DISMISSED with prejudice;
- (3) In accordance with Rule 11 of the Rules Governing Section 2255 Proceedings for the United States District Courts, a certificate of appealability is DENIED; and

ORDER DENYING MOTION
UNDER 28 U.S.C. § 2255
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01 (4) The Clerk shall send copies of this Order to petitioner, to counsel for the
02 government, and to Judge Theiler.

03 DATED this 6th day of February, 2012.

04 
05 JAMES L. ROBART
06 United States District Judge
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